

# **Libby Community Advisory Group**

## **Meeting Summary**

### **February 14, 2002**

#### **Introductions**

Gerald Mueller and members of the Libby Community Advisory Group (CAG) introduced themselves. A list of the members and guests in attendance is attached below as Appendix 1.

#### **Agenda**

Mr. Mueller reviewed an agenda for this meeting including the following topics:

- EPA Report
- County Report
- CAG Member Comment
- Public Comment

#### **EPA Report**

Paul Peronard reported on behalf of EPA on the following topics.

##### Seifke Property Cleanup

Mr. Peronard stated that he met earlier today with the Seifke's and resolved outstanding issues which they raised in December about the cleanup of their property.

##### Residential Cleanups

EPA intends to bring to Libby someone full time who can address residential cleanup issues more quickly, including restoration and relocation. The new person will allow EPA to reach agreements with homeowners that clearly state what cleanup and restoration activities will be carried out before the work starts. The new person will also be available locally for homeowners to talk with about the cleanups.

EPA continued outdoor dust sampling through November. On about 5% of the properties sampled, vermiculite ore or tailings was found that had asbestos concentrations measured by polarized light microscopy (PLM) ranging from 2 to 15%. On about 50% of the properties sampled, trace concentrations of asbestos were measured, again using PLM. No asbestos was detected using PLM in the samples taken at about 45% of the properties. The sampling indicates that the asbestos contamination is not evenly distributed over the Libby area but is related to discrete sources located on the properties. EPA did not find generally elevated asbestos levels that decreased with distance from sources such as the export plant.

EPA plans to cleanup properties with the highest concentrations of asbestos first. Jim Christiansen, Remedial Project Manager, is developing a plan for addressing properties with trace amounts. The plan may involve resampling the trace samples with analytical techniques other than PLM.

##### *Audience Member Question - How long will it take to clean a house or yard?*

Answer - The time required will depend on how extensive a cleanup and restoration is required. Based on the pilot project, we estimate that a residential insulation removal would take about four days, including one day for set up, one to two days to remove and replace the insulation, and one day to clean the house interior and conduct the sampling necessary to demonstrate that it is clean. The cleanup at the Seifke property took longer because it involved examining and cleaning several pieces of equipment. Cleaning up and restoring a garden contaminated with vermiculite might require the resident of the home to be relocated for about one week.

*Audience Member Question - How long would it take if you have to replace a drain field?*

Answer - We can remove about 18 inches of the soil in a yard in one day. Restoring sprinklers and drain fields would take longer.

#### Worker Notification

At the last meeting, Cyrus Lee requested that workers in other areas be notified of the potential hazard of working with or around vermiculite insulation. EPA Headquarters will decide if a national notification will occur. Mr. Peronard offered the telephone numbers of EPA personnel that can be called regarding a national notification.

*CAG Member Question - What is the status of the vermiculite insulation action memo?*

Answer - The press reported on the meeting about the insulation removal on January 31, 2002 at EPA headquarters with W.R. Grace. After the meeting, Mr. Peronard sent to EPA headquarters another version of the action memo which he is hopeful will be approved in about two weeks. If any deviation from the proposal occurs, EPA will hold public meetings in Libby to discuss them.

*Audience Member Question - What would replace insulation that is removed?*

Answer - Individual circumstances may vary, but vermiculite insulation would probably be replaced with blown-in fiberglass or fiberglass batts of the same "R" value as the insulation removed. Mr. Peronard cautioned that EPA will not be in the remodeling business so that people should not expect to have windows or roofs replaced. A homeowner can expect to be compensated for damage during the insulation removal at rates similar to homeowners insurance, 60 to 80% of original value.

*Audience Member Question - Has EPA let a contract for removing the insulation?*

Answer - No. EPA has retained Montgomery-Watson as the prime contractor for the remediation work in Libby, but no firm has been selected to remove insulation. Next week we intend to walk through residential and commercial property in Libby so that we can better understand the scope of the insulation removal and can better assess a possible lump sum payment for the contract.

*CAG Member Question - Does EPA intend to use several contractors working simultaneously on the insulation removal?*

Answer - If the decision is made to remove the insulation, we will use multiple contractors.

*CAG Member Question - How would the work be done?*

Answer - We would use parallel teams to remove the insulation. We would start slowly and add crews as we gain experience. The work would continue year round.

*CAG Member Question - Would a cell at the county land fill or some other location be used to dispose of the insulation removed?*

Answer - Our current plan is to use the county landfill. However, we will make use of information from the *Commerce Business Daily* to compare tipping and trucking costs of alternative disposal locations. EPA apparently does not have the authority to force W.R. Grace to allow disposal of the insulation at the Libby mine site.

*Audience Member Question - Would the contracts follow EPA specifications?*

Answer - Yes. EPA would be responsible for the scope and quality of work.

*Audience Member Question - Is it correct that EPA already has a contract with the Volpe Center?*

Answer - The Volpe Center of the U.S. Department of Transportation is EPA's contracting agent. Montgomery-Watson has been selected as the remediation prime contractor.

*Audience Member Question - Will the state have any oversight responsibility?*

Answer - I am not sure. John Constan formally worked for the Montana Department of Environmental Quality (DEQ), and we worked with him here. However, Mr. Constan left DEQ and apparently has not been replaced.

*Audience Member Comment - Kevin Kirley replaced Mr. Constan.*

*Audience Member Comment - The state collects 4% fees for residential asbestos cleanups. It is concerned that it will lose these fees if EPA rather the state oversees the insulation removal contractor.*

Response - While we must meet state requirements, the federal government is not required to pay state fees.

*Audience Member Question - On March 20 and 21, Montana Contractors will hold a conference and will meet with Governor Martz about obtaining work for Montana contractors. Will local contractors be given a preference for the insulation removal work?*

Answer - EPA must comply with federal acquisition regulations. Contracts will be awarded to the lowest bidder. The only preference allowed is for women and minority owned contractors, which receive a 10-20% cost preference. It should be remembered that two-thirds of the money spent to date on cleanups in Libby has been spent on local contractors and workers. We keep a list of local contractors and notify them when work is available.

*Audience Member Question - What would the criteria be for hiring contractors and equipment?*

Answer - EPA must comply with federal acquisition regulations and health and safety requirements.

*Audience Member Question - Are federal requirements different from state requirements?*

Answer - Many times states adopt federal requirements. EPA must comply with state requirements.

*Audience Member Comment - I have HEPA vacuum equipment in Missoula that meets asbestos cleanup requirements, and would be interested in bidding on the work here. I would want to hire Libby people.*

*Audience Member Question - In how many homes would the insulation be removed?*

Answer - Information we now have indicates that about 70% of the homes in Libby have Zonolite insulation. If that ratio holds, about 800 homes would need insulation removal.

*Audience Member Question - What would the cost of the removal be?*

Answer - We estimate that the insulation removal would cost about \$3,000-\$5,000 per house and cleaning the living space another \$2,000-\$3,000 per house. If carpet replacement is

necessary, costs may increase by \$1,500-\$2,000. Including administrative costs, each house will cost about \$5,000-\$10,000 per house.

*CAG Member Question - Did I understand you correctly that, according to your sampling, the asbestos contamination is due to source materials and not residual contamination from the 70 years of the stuff being blown around town?*

Answer - We are not seeing evidence of residual contamination with the polarized light microscopy, but we plan to recheck the non-detect samples with other techniques. Sometimes we cannot see asbestos fibers in a vermiculite matrix with the polarized light microscopy.

*CAG Member Comment - Chris Weis' risk memo on page 9 discussed asbestos sampling of garden rototilling. Even though PLM either did not detect asbestos or found only trace amounts, the personal air monitors worn during the sampling detected 0.066 fibers per cubic centimeter. If someone inhaled air containing this concentration of asbestos for an hour, one would breathe about 55,440 fibers. A rule of thumb is that 10% of the fibers would be retained in the lung.*

Response - This is an important point. The 1% by mass is not a safety standard; it is the PLM detection limit. Exposure is dependent on activity. Risk is a function of the frequency and duration of exposure. For this reason, EPA is moving to clean up the areas with the highest concentration of contaminants first.

*CAG Member Comment - Regarding the question of how clean is clean, the scientific literature indicates that no threshold of asbestos exposure exists for mesothelioma, which means that no exposure to asbestos fibers can be deemed safe. We need the cleanup to be as thorough as possible.*

Response - We are aware that no exposure threshold exists for mesothelioma. EPA is in the process of revising its risk assessment methodology taking into account new factors such as asbestos fiber size and shape and amphibole.

*Audience Member Question - EPA has said that it expects two to three years to be necessary for the Superfund cleanup. Would the insulation removal be completed during this same time period?*

Answer - Assuming reasonable funding, we expect to complete the insulation removal in two to three construction periods. However, we won't stop at three years if the work expands beyond what is now expected. Completion of the mine cleanup is not expected within three years.

## **County Report**

Ron Anderson reported on behalf of Lincoln County on the following three topics.

### County Investigation

At the last CAG meeting, a member asked for an update about the County investigation of the impacts of the tremolite asbestos exposure on County public health, welfare, safety, and the environment and of the need for action to abate it. An attorney will attend the next CAG meeting to provide an overview of the investigation.

### Environmental Justice Grant

One of the County's grant writers, Tracy Velazquez, has prepared a grant request to the EPA environmental justice program for \$15,000 to fund tracking students that may have been exposed to asbestos at Libby schools. The school district will be the grant applicant. Because the grant

must have an educational component, the grant request also proposes to conduct educational outreach to current students and their families about asbestos exposure, how to avoid exposure from sources in the community, and on ways to reduce the negative consequences of asbestos exposure such as not smoking and avoiding second hand smoke. Community support is important for the grant application to be successful. Because CAG will support would be helpful, Mr. Anderson asked for the CAG's support of a letter to EPA which he read aloud.

***CAG Action - The CAG unanimously agreed to the letter read by Mr. Anderson and directed its facilitator, Mr. Mueller, to sign the letter on its behalf. Mr. Mueller signed a copy provided by Mr. Anderson. A copy of the unsigned letter is attached below as Appendix 2. In response to audience comment, the CAG also directed Mr. Mueller to provide for the letter a list of CAG members present at tonight's meeting to identify those supporting the letter.***

#### EPA-W.R. Grace Consent Decree Funds

The recent consent decree settling EPA's lawsuit against W.R. Grace regarding access to the mine for disposal of asbestos contaminated materials provided that W.R. Grace will pay \$2.75 million for asbestos health care needs not covered by the W.R. Grace health plan. The County was being considered as the recipient and administrator of the \$2.75 million. EPA attorneys recently advised the County that it would not be eligible to carry out these roles. The County Commissioners have, therefore, decided to facilitate the formation of a non-profit corporation that could receive and administer these funds. The County will hold two public meetings to receive comments and recommendations about the formation of the non-profit as well as nominations for its board of directors. The first meeting will be Monday evening, February 18 at 7:00 p.m. in the City Hall Ponderosa Room, and the second will be on February 25 at 2:00 p.m. in the VFW Meeting Room.

#### **Public Comment**

My firm, Lincoln Forestry Services, was hired by W.R. Grace to plant shrubs on the mine reclamation site. W.R. Grace did not advise us to wear respiration protection. Two of our personnel have died from asbestos-related disease and others are sick. The W.R. Grace health plan is not good enough.

#### **Next Meeting**

The next meeting is scheduled for Thursday, February 28 and February 28, 2002 from 7:00 to 9:00 p.m. in the Ponderosa Room of Libby City Hall.

#### **Appendix 1 CAG Member & Guest Attendance List February 14, 2002**

<b>Members</b>	<b>Group/Organization Represented</b>
Robert H. Foote	Libby Ministerial Association

Sandy Wagner  
George Keck  
Cyrus Lee  
Ron Anderson  
Bob Dedrick  
George Bauer  
Ken Hays  
David Latham  
Paul Peronard  
Leroy Thom  
Gary Spencer  
Gayla Benefield  
Norita Skramstad  
Eileen Carney  
Clinton Maynard

Lincoln County Community Health Center (LCCHC)  
LCCHC  
Kootenai Valley Head Start  
Lincoln County  
Asbestos Victim  
City of Libby  
Senior Citizens  
*The Montanian Newspaper*  
U.S. EPA  
Former W.R. Grace employee  
Citizen  
LCAVRO  
Asbestos Victim  
State Legislature  
Area Asbestos Research Group

## Appendix 2

### Libby Area Community Advisory Group

**Ron Anderson**  
Lincoln County

**Kerry Beasley**  
St. John's Lutheran Hospital

**Gayla Benefield**  
LCAVRO

**George Bauer**  
City of Libby

**Dr. Brad Black**  
Lincoln County Health Officer  
CARD

**Eileen Carney**  
State Rep., Dist. 82

**Bob Dedrick**  
Asbestos Victim

**Robert H. Foote**  
Libby Ministerial Association

**Lincoln Cty.**  
Health Center

**David Latham**  
*The Montanian Newspaper*

**Cyrus Lee**  
Kootenai Valley Headstart

**K.W. Maki**  
Libby School District #4

**Clinton Maynard**  
Area Asbestos Research Group

**Rick Palagi**  
St. John's Lutheran Hospital

**Norita Skramstad**  
Asbestos Victim

**Gary Spencer**  
Glacier Bank

**Mike Switzer**  
Asbestos Victim

**Leroy Thom**  
Former W.R. Grade employee

**Sandy Wagner**  
LCCHC

**Don Wilkins**  
Lumber & Sawmill Workers #2581

**Wilbur Wilson**  
Lincoln County Council on Aging

February 14, 2002

Ms. Nancy Reish  
US EPA Region 8 (8ENF-EJ)  
999 18<sup>th</sup> Street, Suite 500  
Denver, CO 802202-2466

Dear Ms. Reish:

This letter from the Libby Area Community Advisory Group (CAG) is in support of the Lincoln County school district's EPA Environmental Justice Grant application, "School Children Exposed to Asbestos."

Members of the Libby CAG represent a broad cross section of our community. We are all concerned about exposure to asbestos. Some of us have suffered from asbestos-related diseases ourselves, while others have lost loved ones because of asbestosis. Many of us are just concerned citizens doing what we can to help improve the situation here. We take our role of trying to protect the health and welfare of the people of Libby seriously, and are committed to personally doing what we can to insure that everything possible is done to clean up Libby, protect the health of the residents, and take care of those who suffer from, or are at risk of suffering from, the health consequences of asbestos exposure.

That our community's most vulnerable members, its children, were exposed to asbestos at our public schools is appalling. That they may be left out of a system of tracking, education and health care because they are too young to be screened is unacceptable and unjust. CAG members and others in the community are committed to doing everything we can to make sure that these children and their families are not left behind. This includes volunteering to help in the work of this grant, should we be awarded it. Also, as the EPA considers whether to declare a Public Health Emergency in Libby, we want to make sure as few children as possible continue to be exposed to asbestos in our community. We therefore support efforts to use the school system to help educate children and their families about avoiding asbestos exposure and reducing the negative health effects of asbestos.

We hope that you will help the community of Libby to include current and former school children in our future efforts, by awarding this environmental justice grant to our schools. Thank you.